

Remarks

A. Pending Claims

Claims 1, 3-5, 7-24, 29-37, 42-48, 53, 55, 56, 58-66, 71-90, 92-111, 113-138, and 140-157 are pending. Claims 1, 7, 10, 14, 16, 23, 29, 30, 34, 35, 42, 44, 48, 53, 58, 61-63, 66, 71, 87, 89, 92-94, 101, 103, 107, 109, 113-115, 119, 120, 137, 138, 141-144, and 150 have been amended. Claims 10, 14, 16, 23, 30, 34, 35, 42, 44, 48, 61-63, 66, 71, 87, 92-94, 101, 103, 107, 113-115, 119, 120, 137, 141-144, and 150 have been amended for correction of typographical errors and/or clarification. Claims 2, 6, 38-41, 54, 57, 91, 112, and 139 have been cancelled. Claims 151-157 are new.

B. The Claims Are Not Obvious Over Pant in View of Tarter Under 35 U.S.C. § 103(a)

The Examiner rejected claims 1-5, 8, 9, 29-37, 53-56, 59, 60 and 71-150 as obvious over U.S. Patent No. 6,012,053 to Pant et al. (hereinafter "Pant") in view of U.S. Patent No. 5,550,734 to Tarter et al. (hereinafter "Tarter") under 35 U.S.C. § 103(a). Applicant respectfully disagrees with these rejections.

To reject a claim as obvious, the Examiner has the burden of establishing a *prima facie* case of obviousness. *In re Warner et al.*, 379 F.2d 1011, 154 U.S.P.Q. 173, 177-178 (C.C.P.A. 1967). To establish a *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP § 2143.03. Furthermore, if an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988).

The Examiner states: "Claims 6, 7, 10-15, 38-43, 57, 58, 61, and 62 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

Claim 1 has been amended to include features of claim 6. Applicant respectfully requests removal of the rejections of claim 1 and the claims dependent thereon.

Claim 29 has been amended to include features of claim 38. Applicant respectfully requests removal of the rejections of claim 29 and the claims dependent thereon.

Claim 53 has been amended to include features of claim 57. Applicant respectfully requests removal of the rejections of claim 53 and the claims dependent thereon.

Claims 71 and 121 recite in part:

numbering one or more words in a portion of a document from N down to 1, wherein N is a total word count of the portion of the document;
determining a word number of a first word of a term in the portion of the document; and
dividing the word number of the first word by the total word count to produce a relevance value for the term in the portion of the document.

Similar to claims 6 and 58, at least the above-quoted features of claims 71 and 121 in combination with the other features of the claims, do not appear to be taught or suggested by the cited art. Applicant respectfully requests removal of the rejections of claims 71 and 121 and the claims dependent thereon.

Claims 77 and 126 recite in part:

numbering one or more words in a portion of a document from 1 up to N, wherein N is a total word count of the portion of the document;
determining a word number of a first word of a term in the portion of the document;
subtracting the word number from the total word count to produce a first results;
adding one to the first results to produce a second results; and
dividing the second results by the total word count to produce a relevance value of the term in the portion of the document.

Similar to claims 7 and 57, at least the above-quoted features of claims 77 and 126 in combination with the other features of the claims, do not appear to be taught or suggested by the cited art. Applicant respectfully requests removal of the rejections of claims 77 and 126 and the claims dependent thereon.

Claim 83 recites in part:

- determining a word position of an occurrence of a term in a portion of a document in a help database, wherein the portion of the document comprises one or more words;

- determining a total word count of the portion of the document;

- dividing the word position by the total word count to produce a positional relevance value for the occurrence;

- dividing a number of words in the term by the total word count of the portion to produce a percentage relevance value for the occurrence; and

- combining the positional relevance value and the percentage relevance value to produce a relevance value for the occurrence.

Claim 95 recites in part:

- determining a location of one or more occurrences of one or more terms used in one or more documents of a help database of an insurance claims processing system, wherein the one or more documents comprise one or more headers;

- determining a positional relevance value of an occurrence of a term in a header using N and X, wherein the header comprises N words, wherein the occurrence of the term is at an Xth word in the header, and wherein the determined positional relevance value is higher the closer the occurrence is to the beginning of the header;

- determining a percentage relevance value of the occurrence of the term in the header using T and N, wherein the term comprises T words, wherein the percentage relevance value is the percentage of the header occupied by the term; and

- combining the positional relevance value and the percentage relevance value to produce the header relevance value.

Claim 103 recites in part:

program instructions stored in the memory medium and executable within the computer system, wherein the program instructions are executable to:

- determine a word position of an occurrence of a term in a portion of a document in the help database, wherein the portion of the document comprises one or more words;
- determine a total word count of the portion of the document;
- divide the word position by the total word count to produce a positional relevance value for the occurrence;
- divide a number of words in the term by the total word count of the portion to produce a percentage relevance value for the occurrence;
- and
- combine the positional relevance value and the percentage relevance value to produce a relevance value for the occurrence.

Claim 115 recites in part:

program instructions stored in the memory medium and executable within the computer system, wherein the program instructions are executable to:

- determine a position of one or more occurrences of one or more terms used in a header of one or more documents of a help database of an insurance claims processing system, wherein the one or more documents comprise one or more headers;
- determine a positional relevance value using N and X, wherein the header comprises N words, wherein the occurrence of the term is at an Xth word in the header, and wherein the determined positional relevance value is higher the closer the occurrence is to the beginning of the header;
- determine a percentage relevance value using T and N, wherein the term comprises T words, wherein the percentage relevance value is a percentage of the header occupied by the term; and
- combine the positional relevance value and the percentage relevance value to produce a header relevance value.

Claim 131 recites in part:

determining a word position of an occurrence of a term in a portion of a document in a help database, wherein the portion of the document comprises one or more words;

- determining a total word count of the portion of the document;
- dividing the word position by the total word count to produce a positional relevance value for the occurrence;

dividing a number of words in the term by the total word count of the portion to produce a percentage relevance value for the occurrence; and
combining the positional relevance value and the percentage relevance value to produce a relevance value for the occurrence.

Claim 144 recites in part:

determining a location of one or more occurrences of one or more terms used in a header of one or more documents of a help database of an insurance claims processing system, wherein the one or more documents comprise one or more headers;

determining a positional relevance value using N and X, wherein the header comprises N words, wherein the occurrence of the term is at an Xth word in the header, and wherein the determined positional relevance value is higher the closer the occurrence is to the beginning of the header;

determining a percentage relevance value using T and N, wherein the term comprises T words, wherein the percentage relevance value is the percentage of the header occupied by the term; and

combining the positional relevance value and the percentage relevance value to produce a header relevance value.

Similar to claims 10 and 38, at least the above-quoted features of claims 83, 95, 103, 115, 131, and 144 in combination with the other features of the claim, do not appear to be taught or suggested by the cited art. Applicant respectfully requests removal of the rejections of claims 83, 95, 103, 115, 131, and 144 and the claims dependent thereon.

The Examiner states: "As to claim 5, Pant and Tarter teach the invention substantially as claimed. Pant further teaches storing the determined relevance value for the occurrence in an entry in a table in the database [col. 7, lines 44 to col. 8, lines 10]."

Pant states:

Default values for the relevance factors used in any particular section may be stored as global variables of the database or the database query engine or the relevance determination module. The following table sets forth an example of name, data type and default values for the foregoing, relevance factors, and a description of each.

These default values are useful as a starting point when presenting a user with an interface for adjusting the relevance factors.
(Pant, col. 7, line 44 through col. 8, line 14)

Pant appears to describe storing a default relevance value.

Independent claim 89 has been amended to include features of claim 91. Amended claim 89 recites in part:

- determining a location of one or more occurrences of one or more terms used in one or more documents of a help database of an insurance claims processing system, wherein the one or more documents comprise one or more text sections;

- determining a text section relevance value of an occurrence of a term using N and X, wherein the text section comprises N words, wherein the occurrence of the term is at an Xth word in the text section, and wherein the text section relevance value is higher the closer the occurrence is to the beginning of the text section; and

- storing the determined relevance value for the occurrence in an entry in a table in the help database.

Independent claim 109 has been amended to include features of claim 112. Amended claim 109 recites in part:

- program instructions stored in the memory medium and executable within the computer system, wherein the program instructions are executable to:

- determine a location of an occurrence of a term used in a text section of one or more documents of a help database of an insurance claims processing system, wherein the one or more documents comprise one or more text sections;

- determine a text section relevance value using N and X, wherein the text section comprises N words, wherein the occurrence of the term is at an Xth word in the text section, and wherein the text section relevance value is higher the closer the occurrence is to the beginning of the text section; and

- store the determined relevance value for the occurrence in an entry in a first table in the help database.

The combination of the cited art does not appear to teach or suggest at least the above-quoted features of claims 89 and 109 in combination with the other features of the claims, including but not limited to: storing or store “the determined relevance value for the occurrence

in an entry in a table in the help database.” Applicant respectfully requests removal of the rejection of claims 89 and 109 and the claims dependent thereon.

The Examiner states: “As to claim 4, Pant and Tarter teach the invention substantially as claimed. Pant further teaches rounding the relevance value to a number of significant digits [col. 11, lines 25-36; col. 12, lines 41-50].”

As cited by the Examiner, Pant states:

The bonuses determined for all of the relevance factors are then summed in step 204. This sum is inserted in the search results record in step 206 where this record contains a slot for the score of each item as shown above. If all the records have been analyzed as determined in step 208, the process is completed; otherwise, the process is repeated for the next record in the search results, in step 200.

Determination of the bonus for each relevance factor, step 202, will now be described by way of example. Since there are a variety of ways to compute a bonus value for a document for each relevance factor, the invention is not limited to the following example.
(Pant, col. 11, lines 25-37)

Pant further states:

The minimum distance is retained. If this distance is below a predetermined maximum distance, then a bonus is given to the document. This bonus is computed by determining the difference between the maximum value and the computed distance, less one. This difference is divided by the maximum value. The resulting quotient is multiplied by the weight for this relevance factor. If the two corresponding instances of the two words occur in order as they appear in the search query, the weight for the order relevance factor also is added to the score for this document.
(Pant, col. 12, lines 41-50)

Pant does not appear to teach or suggest rounding a relevance value to a number of significant digits.

Independent claim 138 has been amended to include features of claim 139. Amended claim 138 recites in part:

determining a location of one or more occurrences of one or more terms used in a text section of one or more documents of a help database of an insurance claims processing system, wherein the one or more documents comprise one or more text sections;

determining a text section relevance value using N and X, wherein the text section comprises N words, wherein the occurrence of the term is at an Xth word in the text section, and wherein the text section relevance value is higher the closer the occurrence is to the beginning of the text section; and

rounding the relevance value to a number of significant digits.

Applicant submits that the combination of the prior art does not appear to teach or suggest at least the above-quoted features of claim 138 in combination with the other features of the claim, including but not limited to: “rounding the relevance value to a number of significant digits.” Applicant respectfully requests removal of the rejection of claim 138 and the claims dependent thereon.

C. Many Of The Dependent Claims Are Separately Patentable

The Examiner is respectfully requested to separately consider each of the dependent claims for patentability. Applicant submits that many of the dependent claims are independently patentable.

The Examiner states: “As to claim 4, Pant and Tarter teach the invention substantially as claimed. Pant further teaches rounding the relevance value to a number of significant digits [col. 11, lines 25-26; col. 12, lines 41-50].” As discussed above, the combination of the cited art does not appear to teach or suggest at least the feature of “rounding the relevance value to a number of significant digits” in combination with the other features of the claim. Applicant submits that claims dependent claims 4, 21, 73, 79, 84, 90, and 97 as well as new claims 151-157 are independently patentable.

The Examiner states: "As to claim 5, Pant and Tarter teach the invention substantially as claimed. Pant further teaches storing the determined relevance value for the occurrence in an entry in a table in the database [col. 7, lines 44 to col. 8, lines 10]." As discussed above, the combination of the cited art does not appear to teach or suggest at least the feature of "storing the determined relevance value for the occurrence in an entry in a table in the help database" in combination with the other features of the claim. Applicant submits that dependent claims 5, 22, 56, 61, 65, 74, 80, 86, 98, 123, 128, 134, 140, and 147 are independently patentable.

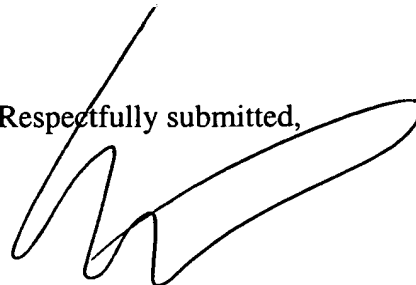
For at least the reasons discussed by the Examiner in regard to objected to claims 6 and 58, Applicant submits that dependent claims 34, 113, and 119 are independently patentable. For at least the reasons discussed by the Examiner in regard to objected to claims 7 and 57, Applicant submits that claims 35, 114, and 120 are independently patentable. For at least the reasons discussed by the Examiner in regard to objected to claims 10, 38, and 61, Applicant submits that dependent claims 94 and 143 are independently patentable.

D. Additional Remarks

Applicant submits that all claims are in condition for allowance. Favorable reconsideration is respectfully requested.

Applicant believes that no fees are due in association with the filing of this document. If an extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are required, please charge those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5053-27800/EBM.

Respectfully submitted,



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